

11-28-03

Attorney Docket No. 19374-509 (GND-09)

DAC

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Farmer  
SERIAL NUMBER : 09/708,870  
FILING DATE : November 8, 2000  
FOR : Inhibition of Pathogens by Probiotic Bacteria  
EXAMINER : Afremova, V.  
ART UNIT : 1651

### Mail Stop Petition

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION UNDER 37 C.F.R. § 1.137(b)

Applicant hereby petitions to revive the above-identified application, which was abandoned November 3, 2002 for failure to respond to the Office Action mailed May 3, 2002.

Enclosed with this petition is:

1. Response to Office Action mailed May 3, 2002 (7 pgs.);
2. Replacement informal drawings (Figures 6-8; 3 sheets);
3. Copy of Notice of Abandonment (1 pg.);
4. Petition for four month extension of time(1 pg.);
5. Two checks: # 17498 in the amount of \$665.00 for payment of the petition fee, and #17499 in the amount of \$740.00 for a four month extension of time; and
6. Return Postcard.

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OFFICE OF PETITIONS

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01 FC:2453 665.00 0P

Farmer  
09/708,870

Applicant respectfully submits that the entire delay in filing the response to the Office Action mailed May 3, 2002 was unintentional. Applicant encloses Check #17498 in the amount of \$665.00 as the fee for filing a petition to revive an unintentionally abandoned application, as set forth in 37 C.F.R. § 1.137(b), and required pursuant to 37 C.F.R. §1.17(m). Applicant also encloses Check #17499 in the amount of \$740.00 as the fee for filing a petition for a Four-Month Extension of Time, as set forth in 37 C.F.R. §1.17(a)(4). Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 19374-509.

Respectfully submitted,

 Reg. No. 48223

for Ivor R. Elrifi (Registration No. 39,529)  
Ingrid A. Beattie (Registration No. 42,306)  
Attorneys for Applicants  
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Customer No. 30623

November 26, 2003

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